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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Global Equity Management (SA) Pty. Ltd.

Plaintiff,

vs.

eBay, Inc.,

Defendant.

Case No. 3:17-cv-02178-WHA

**WILLIAM P. RAMEY, III AND JOHN
THOMAS'S NOTICE OF MOTION AND
OPPOSED MOTION TO WITHDRAW AS
COUNSEL FOR PLAINTIFF AND
[PROPOSED] ORDER GRANTING
MOTION TO WITHDRAW**

Date: July 27, 2017
Time: 8:00 a.m.
Judge: The Hon. William Alsup

NOTICE OF MOTION

TO THE PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that, on Thursday, July 27, 2017, at 8:00 a.m., or as soon thereafter as the matter may be heard before the Honorable William Alsup, United States District Judge, Courtroom 8, 19th Floor, of the United States District Court for the Northern District of California, San Francisco Division, 450 Golden Gate Avenue, San Francisco, CA 94102, William P. Ramey, III of Ramey & Schwaller, L.L.P., 5020 Montrose Blvd., Suite 750, Houston, Texas 77006, and John Thomas of Hicks Thomas, LLP, 8801 Folsom Boulevard, Ste. 172, Sacramento, California 95826, shall and hereby do respectfully seek leave of this Court, pursuant to LOCAL R. 11-5 and in compliance with CAL. R. PROF. CONDUCT 3-700, to withdraw as counsel for Plaintiff Global Equity Management (SA) Pty. Ltd. (“GEMSA”) in the above-captioned matter and that ECF notifications to them be terminated in connection with this case.

OPPOSED MOTION TO WITHDRAW AS COUNSEL FOR PLAINTIFF

Pursuant to LOCAL R. 11-5, William P. Ramey, III and John Thomas hereby notify the parties and the Court of their intention to withdraw as counsel for Plaintiff GEMSA. Movants state the following grounds for this notice and motion:

1. John Thomas appeared in this case on behalf of Plaintiff GEMSA also on May 1, 2017.

2. I William P. Ramey, III, after assisting GEMSA through the litigation activities, notified Schumann Rafizadeh (“Rafizadeh”) on June 2, 2017, that I would be filing a motion to withdraw as counsel on or about June 15, 2017.

3. I forwarded copies of the motions to withdraw to Mr. Rafizadeh of GEMSA on June 13, 2017.

3. Rafizadeh did not respond to the communication. However, on June 14, 2017, Rafizadeh’s new counsel Ed Rothberg of Hoover Slovacek sent a letter terminating the engagement effective 30 days from June 14, 2017, i.e. July 14, 2017.

4. William P. Ramey, III of Ramey & Schwaller, LLP and John Thomas of Hicks Thomas LLP move the Court for permission to withdraw as counsel of record for GEMSA as

1 GEMSA has not fulfilled their obligations under the engagement agreement with Ramey &
2 Schwaller, LLP and Hicks Thomas LLP and due to a breakdown in communication and
3 understanding between Ramey & Schwaller, LLP, Hicks Thomas LLP, and GEMSA as to the
4 purpose and meaning of legal representation. For these reasons, it is impossible for Ramey &
5 Schwaller, LLP and Hicks Thomas LLP to effectively represent GEMSA in this matter.

6 5. William P. Ramey, III of Ramey & Schwaller, LLP and John Thomas of Hicks
7 Thomas LLP have taken reasonable steps to avoid any foreseeable prejudice to the rights of
8 GEMSA. A copy of this motion has been provided to GEMSA and GEMSA is aware that it needs
9 to retain private counsel as GEMSA cannot represent itself.

10 6. William P. Ramey, III has notified GEMSA of the case status and will send Rafizadeh
11 a 30-day docket if the Court grants this motion.

12 7. William P. Ramey, III of Ramey & Schwaller, LLP and John Thomas of Hicks
13 Thomas stand ready to deliver to GEMSA all papers and property to which the client is entitled.

14 8. The last known address for GEMSA is 458 Morphet Road, Warradale, South
15 Australia 5046. The address for GEMSA's new counsel is Hoover Slovacek, 5051 Westheimer,
16 Suite 1200, Houston, Texas 77056.

17 The withdrawal of Mr. Ramey and Mr. Thomas will not have a detrimental effect on GEMSA
18 or its representation in this case, nor will it cause any delay in this proceeding or prejudice any party
19 as the cases are presently stayed and there are no current docket dates. Accordingly, there is adequate
20 time for GEMSA to obtain new counsel in California. Further, GEMSA has new counsel at least in
21 Texas.

22 The undersigned has conferred with counsel for Defendant, and Defendant opposes this
23 request.

24 ///

25 ///

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1 DATED: June 15, 2017

Respectfully submitted,

2 **Ramey & Schwaller, LLP**

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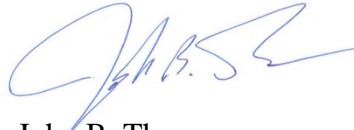
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20 **Attorneys for GEMSA**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been filed electronically with the Clerk of Court via the CM/ECF system, has been served on the parties listed below in accordance with the Federal Rules of Civil Procedure on this 15th day of June 2017.



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